

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

PATRICK ELLIOTT PEARSON,

Defendant.

**Case No. 2:19-CR-0111-WFN-3
CRIMINAL MINUTES**

DATE: JUNE 21, 2021**LOCATION: SPOKANE****JURY TRIAL--DAY 4**

Hon. Wm. Fremming Nielsen		
Joanna L. Knutson Courtroom Deputy	Heather Foe Law Clerk	Ronelle F. Corbey Court Reporter
Caitlin A. Baunsgard and David M. Herzog Government Counsel	David R. Partovi and Joseph B. Sullivan Defense Counsel	

☒ **Open Court**☐ **Chambers**☐ **Telecon**

Defendant present in custody of United States Marshal with appointed counsel. Court convened on the record, in open court with counsel and Defendant present but outside the presence of the jury.

The Court confirmed counsel received a copy of the Court's proposed final set of jury instructions on Thursday and advised he will meet with counsel at the close of testimony today. Counsel are requested to be prepared to talk about any corrections or additions they felt should be made.

The Court understands Government counsel has an issue to bring up before the jury is brought in. Ms. Baunsgard advised that as part of Detective Fisher's testimony this morning, he will be conducting a brief illustrative demonstration of the pump action nature of the shotgun. Discussion ensued between Court and counsel. Mr. Partovi objected to the demonstration.

8:30 a.m. Jury returned to courtroom.

Government continues its case-in-chief. Direct resumed of sworn Government witness **Spencer Savage** by Ms. Baunsgard (Exhibits 2R, 2RT, 4, 2DD, 2DDT, 2EE, 2EET, 2FF, 2FFT, 2H, 2II, 2IIT, 2JJ, 2JJT, 2LL, 2LLT, 2MM, 2MMT, 2S, 2ST, 2E, 2G, 3E, 7J, 30T, 30U – Ms. Baunsgard moved for the admission of Exhibits 30 thru 30S, Court GRANTED the admission which had previously been provisionally admitted – Exhibits 2W, 2X, 2XT 2Y, 2YT, 2Z, 2ZT, and 5 discussed with witness).

Recess: 10:12 a.m. to 10:38 a.m.

The Court advised the jury that due to the need to set up some technology, the Court would be taking lunch a little early.

Direct resumed by Ms. Baunsgard of Government witness **Spencer Savage** (Exhibits 2V and 2VT discussed with witness); cross by Mr. Partovi; redirect, recross, witness excused. Testimony presented by sworn Government witness **Josh Sainsbury**, direct by Ms. Baunsgard; no cross, witness excused.

Testimony presented by sworn Government witness **Ryan Snider**, direct by Ms. Baunsgard. The parties' Stipulation, Exhibit 401 ¶ A, read to the jury and into the record by the Court re: Exhibit 100. No cross, witness

CONVENED: 8:25 A.M.	ADJOURNED: 4:32 P.M.	TIME: 6:13 HR.	CALENDAR [X]
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excused. Testimony presented by sworn Government witness **Jacob Fisher**, direct by Ms. Baunsgard (Exhibits 101 and 102 discussed with witness). The parties' Stipulation, Exhibit 401 ¶B, read to the jury and into the record by the Court re: Exhibits 101 and 102.

Recess: 11:28 a.m. to 12:36 p.m.

Government continues case-in-chief. Government witness **Jacob Fisher** resumed the stand; direct continued by Ms. Baunsgard (Exhibits 102, 201, 203, 204, 226, 227, 210, 222 and 212 discussed with witness).

Recess: 2:10 p.m. to 2:30 p.m.

Court reconvened with counsel and Defendant present but outside the presence of the jury. The Court advised that in light of the timing of the recess and the informal conference between Court and counsel, the Court proposed adjourning a little bit earlier than usual. Mr. Partovi advised the defense has no objections to the proposed instructions. Ms. Baunsgard advised the Government does have some comments on the set of instructions. Discussion between Court and counsel regarding the need for an informal conference as well as timing of the case. The Court directs counsel to be prepared at 8:05 or 8:10 to discuss timing.

2:38 p.m. Jury returned to courtroom.

Direct resumed of Government witness **Jacob Fisher** by Ms. Baunsgard (Exhibits 102, 225, 214, 215, 216 and 219 discussed with witness); cross by Mr. Partovi (Exhibit 102, 219 and 215 discussed with witness). Redirect by Ms. Baunsgard (Exhibits 219 and 216 discussed with witness); no recross, witness excused.

Testimony presented by sworn Government witness **Kevin Robert Chastain**; cross by Mr. Sullivan; redirect (illustrative Exhibit 20CC marked and discussed with witness); no recross, witness excused.

Jury admonished and excused by the Court until 8:30 a.m. tomorrow. The Court will meet with counsel at 8:10 a.m.